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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SCHLAIFER, JONATHAN D

ART UNIT PAPER NUMBER

2178

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,577

Applicant(s)

FEIG, EPHRAIM

Examiner

Jonathan D. Schlaifer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,13-18 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,13-18 and 20-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is response to an amendment to application 09/750,577 filed on 7/12/2004.
2. Claims 1-3, 5-11, 13-18 and 20-31 are pending in the case. Claims 1, 8, 16, and 23 are independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1,16, and 30-31 remain rejected under 35 U.S.C. 102(b) as being anticipated by Bernstein et al. (USPN 5,297,249—filing date 10/31/1990), hereinafter Bernstein.**
4. **Regarding independent claim 1**, Bernstein discloses a method of managing target documents referred to by referring documents (see col. 24, lines 25-45), comprising the steps of: identifying one or more referring documents having at least one hypertext link pointing to a target document stored in a storage (see col. 24, lines 33-35); determining when the at least one hypertext link in the one or more referring documents ceases to exist; (see col. 24, lines 45-60); and enabling removing of the target document from the storage (see col. 24, lines 45-60).
5. **Regarding independent claim 16**, it is a system that performs the method of claim 1 and is rejected under similar rationale.

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6. **Regarding dependent claim 30**, by the definition of deletion, a hypertext link pointing to a target document inherently ceases to exist when the hypertext link is deleted.
7. **Regarding dependent claim 31**, by the definition of deletion, a hypertext link pointing to a target document inherently ceases to exist when a referring document having the hypertext link hypertext link is deleted. (When documents are deleted, their contents are as well.)
8. **Claims 8 and 23 remain rejected under 35 U.S.C. 102(a) as being anticipated by Scanlan (USPN 6,029,245—filing date 3/25/1997).**
9. **Regarding independent claim 8**, Scanlan discloses a method of providing security for target documents referred to by referring documents (Abstract, lines 1-3), comprising the steps of: identifying a first referring document having a hypertext link pointing to a target document stored in a storage, the first referring document having a security access requirement (Abstract, lines 6-10); and applying the security access requirement to the target document (Abstract, lines 10-14).
10. **Regarding dependent claim 23**, it is a system that performs the method of claim 8 and is rejected under similar rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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11. **Claims 2-3, 5-6, 17-18, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein.**
12. **Regarding dependent claim 2**, Bernstein fails to disclose that the one or more referring documents and said target document are stored in different storage devices coupled over a network. However, it was notoriously well known in the art at the time of the invention that hyperlinks are used over the WWW to permit resource sharing. It would have been obvious to one of ordinary skill in the art at the time of the invention to have the hyperlinks span a network to permit resource sharing.
13. **Regarding dependent claim 3**, Bernstein fails to disclose that the one or more referring documents and the target document are stored in the same storage device. However, it was notoriously well known in the art at the time of the invention that documents within the same machine are often linked to facilitate navigation. It would have been obvious to one of ordinary skill in the art at the time of the invention to link documents within the same machine to facilitate navigation.
14. **Regarding dependent claim 5**, Bernstein fails to disclose the method further comprises the step of decrementing a counter for the current document when a hypertext link ceases to exist. However, it was notoriously well known in the art at the time of the invention that maintaining a count of a class of item helps to determine when that class of item has been entirely removed. It would have been obvious to one of ordinary skill in the art at the time of the invention to help determine when the references have been entirely removed.

15. **Regarding dependent claim 6**, Bernstein fails to disclose the step of determining whether the count for the counter of the target document equals zero. However, it was notoriously well known in the art at the time of the invention checking a count of references to see if it is zero is a good way to see if there are any references remaining, which allows successful removal of extra files. It would have been obvious to one of ordinary skill in the art at the time of the invention to check a count of references to see if it is zero to allow successful removal of extra files.
16. **Regarding dependent claim 17**, it is a system that performs the method of claim 2 and is rejected under similar rationale.
17. **Regarding dependent claim 18**, it is a system that performs the method of claim 3 and is rejected under similar rationale.
18. **Regarding dependent claim 20**, it is a system that performs the method of claim 5 and is rejected under similar rationale.
19. **Regarding dependent claim 21**, it is a system that performs the method of claim 6 and is rejected under similar rationale.
20. **Claims 7 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernstein, further in view of Banning et al. (USPN 5,421,008—filing date 11/8/1991), hereinafter Banning.**
21. **Regarding dependent claim 7**, Bernstein fails to disclose that if the counter equals zero, further comprising the step of: sending a message to an author of the target document asking whether the author wants to delete the target document from the storage.

However, Banning, in col. 29, lines 59-68 offers a dialog box that allows the user to

regulate deletion in order to provide the user with control over the deletion process. It would have been obvious to one of ordinary skill in the art at the time of the invention to allow the user to regulate deletion in the manner of Banning in the invention of Bernstein in order to provide the user with control over the deletion process.

22. **Regarding dependent claim 22**, it is a system that performs the method of claim 7 and is rejected under similar rationale.

23. **Claim 9-12 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scanlan.**

24. **Regarding dependent claim 9**, Scanlan discloses determining whether a second referring document has the security access requirement; and preventing the second referring document from accessing the target document if the second referring document does not have the security access requirement. (This is an inherent implication of the security privileges disclosed in the Abstract, lines 1-15). However, Scanlan does not explicitly disclose identifying a second referring document having a hypertext link pointing to the target document stored in the storage. However, it was notoriously well known in the art at the time of the invention that one can create documents with hyperlinks pointing to other documents and with access privileges in order to relate documents to each other in a secure manner. It would have been obvious to one of ordinary skill in the art at the time of the invention to create documents with hyperlinks pointing to other documents and with access privileges in order to relate documents to each other in a secure manner.

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25. **Regarding dependent claim 10**, it is a method that modifies claim 9 in a manner analogous to the manner in which claim 2 modifies claim 1, and may be rejected under similar rationale.
26. **Regarding dependent claim 11**, it is a method that modifies claim 9 in a manner analogous to the manner in which claim 3 modifies claim 1, and may be rejected under similar rationale.
27. **Regarding dependent claim 24**, it is a system that performs the method of claim 9 and is rejected under similar rationale.
28. **Regarding dependent claim 25**, it is a system that performs the method of claim 10 and is rejected under similar rationale.
29. **Regarding dependent claim 26**, it is a system that performs the method of claim 11 and is rejected under similar rationale.
30. **Claims 13-14 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scanlan, further in view of Bernstein.**
31. **Regarding dependent claim 13**, it is a method that modifies claim 9 in a manner analogous to the manner in which claim 5 modifies claim 1, and may be rejected under similar rationale.
32. **Regarding dependent claim 14**, it is a method that modifies claim 13 in a manner analogous to the manner in which claim 6 modifies claim 5, and may be rejected under similar rationale.
33. **Regarding dependent claim 27**, it is a system that performs the method of claim 13 and is rejected under similar rationale.

34. **Regarding dependent claim 28**, it is a system that performs the method of claim 14 and is rejected under similar rationale.
35. **Claims 15 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scanlan, further in view of Banning.**
36. **Regarding dependent claim 15**, it is a method that modifies claim 14 in a manner analogous to the manner in which claim 7 modifies claim 6, and may be rejected under similar rationale.
37. **Regarding dependent claim 29**, it is a system that performs the method of claim 2 and is rejected under similar rationale.

Response to Arguments

38. Applicant's arguments filed 7/12/2004 have been fully considered but they are not persuasive.
39. The applicant alleges that Bernstein fails to disclose the identification of one or more referring documents having hypertext links pointing to a target document, the determination of when the hypertext links pointing to the target document cease to exist, and the determination of when the hypertext links pointing to the target document cease to exist. However, the Examiner submits that these steps are an intrinsic part of Bernstein as revealed in col. 24, lines 25-60, and cited in the maintenance of link structure of the database.
40. The applicant alleges that Scanlan is insufficient to reject claims 8 and 23 because it fails to impose security access from document to document. The Examiner notes that the

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Applicant has admitted that secure access occurs from web server storage, which is a document, to another document, and hence considers this traversal invalid.

41. With respect to claims 2,3,5,6,17,18,20, and 21, the Examiner reiterates that claims 1 and 16 do not appear to be patentable at the present time. Furthermore, the Applicant's broad assertion that they may contain patentable material in response to the Examiner's use of official notice is too broad. The Examiner notes in response to the Applicant's objection to the use of material regarding a counter that use of a counter is common in computing, in such areas as printing, and is certainly not patentable material. Should the Applicant wish further examples corresponding with other instances in which the Examiner has used Official Notice, the Examiner would be pleased to provide the Applicant with such a response.
42. With respect to claims 7 and 22, the Examiner reiterates that claims 1 and 16 do not appear to be patentable at the present time.
43. With respect to claims 9-11 and 24-26, the Examiner reiterates that claims 8 and 23 do not appear to be patentable at the present time. With respect to the supposedly patentable subject matter contained in the dependent claims, the Examiner notes that the security scheme proposed is merely an outline of how a generalized security scheme operates for a hyperlink.
44. With respect to claims 13, 14, 27, and 28, the Examiner reiterates that claims 8 and 23 do not appear to be patentable at the present time.
45. With respect to claims 15 and 29, the Examiner reiterates that claims 8 and 23 do not appear to be patentable at the present time.

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46. With respect to Claims 30 and 31, they have been rejected above.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 4,982,344 (filing date 5/18/1988)—Jordan

USPN 4,911,930 (filing date 7/25/1988)—Isle et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan D. Schlaifer whose telephone number is (571) 272-4129. The examiner can normally be reached on 8:30-5:00, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS


STEPHEN HONG
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